

Amendments to the Drawings:

The attached replacement drawing sheets make changes to FIGS. 1-10, add FIGS. 11 and 12, and replace the original sheets with FIGS. 1-10 and new FIGS. 11 and 12.

Attachment: Replacement Sheets (9), New Sheet (1)

REMARKS

Claims 1-6 are pending in this application. By this Amendment, claim 1 is amended. Further, the specification has been amended responsive to the objection in paragraph 2 on page 2 of the Office Action.

In paragraph 2, on page 2 of the Office Action, the drawings were objected to under 37 C.F.R. §1.83(a). Accordingly, FIGS. 1-10 are amended responsive to the objection. Additionally, FIGS. 11 and 12 are added in order to show every feature of the invention specified in claims 4 and 5, respectively. FIG. 11 represents a container provided with recesses formed only at a portion which nucleus is a center line passing a center of each of the shorter sides of a rectangular shape. FIG. 11 is not new matter and is supported by claim 4 and the third paragraph on page 6 of the application as filed. FIG. 12 represents a container having a regular polygonal (square) transversal cross section, with recesses formed along a direction where the orientation magnification is smaller than the orientation magnification along the diagonal. More specifically, the recesses are formed at a portion which nucleus is a center line passing a center of each of opposed sides. FIG. 12 is not new matter as it is supported by claim 5 and the third paragraph on page 6 of the application as filed. The specification has been amended consistent with FIGS. 11 and 12.

In paragraph 3, on page 3 of the Office Action, claims 1-6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ota et al. (Ota), U.S. Patent No. 5,222,615, in view of Japanese Published Patent Application JP 11-059646 (JP '646). The rejection is respectfully traversed.

Applicants' invention of claim 1 calls for a bottle-shaped container made of synthetic resin comprising a neck, a body and a bottom, the bottom including a ground portion, the body being formed at a center thereof with a central bulged section protruding inwardly, the container showing a polygonal transversal cross section, wherein a peripheral bottom wall is

formed between an outer periphery of the central bulged section and the grounding portion, the peripheral bottom wall forming a step located below the central bulged section and above the grounding portion, the grounding portion is provided with a recess in a portion formed with an orientation magnification which is smaller than an orientation magnification with which a portion on a diagonal line is formed, and the recess has a depth equal to 0.5 mm to 25.0 mm. Ota fails to disclose or suggest all of these features.

Contrary to the Office Action assertion, Ota fails to disclose or suggest a specific recess depth, or the advantages gained therefrom. Any indentations Ota discloses are for stability of the seating ring, but no specific depth related aspect of the indentations themselves are disclosed or suggested (see col. 3, lines 43-64). Applicants, on the other hand, have determined that if the depth of each of the recesses is smaller than 0.5 mm, sink (or deformation) cannot be sufficiently absorbed by the recesses. Applicants have also determined that if the depth of each of the recesses exceeds 25.0 mm, the effect of absorbing sink is not further improved (see first paragraph on page 7 of the application as filed). Ota fails to disclose or suggest this tolerance range or its corresponding advantages. Thus, Ota fails to disclose or suggest all of the features of Applicants' claim 1.

Further, because claims 2-6 incorporate the features of claim 1, Ota fails to disclose or suggest the features of any of these claims for the foregoing reasons and for the additional features found therein.


JP '646 does not overcome the deficiencies of Ota with respect to claim 1. As such, the combination cannot suggest the subject matter of claim 1, or claims 2-6, which depend from claim 1, for those reasons as well as for the additional features recited therein.

Accordingly, the rejection under 35 U.S.C. §103(a) is improper. Therefore, it is respectfully requested the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-6 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:DRK/tea

Attachment:

Replacement Sheets (9), New Sheet (1)

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